

Tuolumne County  
Administration Center  
2 South Green Street  
Sonora, California 95370  
Phone (209) 533-5521

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Alicia L. Jamar  
*Clerk of the Board  
of Supervisors*

**BOARD OF SUPERVISORS  
COUNTY OF TUOLUMNE**

Sherri Brennan, *First District*  
John Gray, *Fourth District*

Randy Hanvelt, *Second District*

Evan Royce, *Third District*  
Karl Rodefer, *Fifth District*

**Natural Resource Committee**

**Tuesday, May 12, 2015 @ 9:00 a.m.**

**Board of Supervisors Chambers**

**2 South Green Street, Sonora**

**AGENDA**

1. Call the meeting to order:
2. Public Comment
3. Minutes of meetings held on March 13, 2015.
4. Discussion of Rim Fire impacts and recovery efforts.
  - Timber sale update
  - Restoration
  - Reforestation
  - Methods to clear out Rim Fire slash: burn on site versus using a biomass plant
5. Discussion of wildfire impacts on native and planted trout.
6. Consideration of approving correspondence with California legislative representatives in support of AB 590 related to Rim Fire biomass removal.
7. Consideration of approving correspondence with CalFire in support of a grant application from the Yosemite Stanislaus Solutions related to Rim Fire biomass removal.
8. Reports:
  - National Disaster Resilience Competition update
  - Fish ladder meeting at MID
  - Deer Management Plan
  - Agenda distribution—only on website
9. Adjourn

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**Natural Resource Committee**

**Friday, March 13, 2015 @ 9:00 a.m.**

**Tuolumne County Public Health Central Conference Room**

**20111 Cedar Road North, Sonora**

**MINUTES**

1. Call the meeting to order: Sherri Brennan called the meeting to order at 9:10 AM. Sherri talked about the change in the voting structure as adopted by the Board of Supervisors.
2. Public Comment  
  
Chris Trott: Requested placing a biomass removal grant through the Tuolumne River Trust on the next Natural Resources Committee agenda. Would like a letter of support.  
  
Randy Hanvelt: Relating to the amount of dead trees in this County, the Governor should list Tuolumne County as a zone of infestation.
3. Minutes of meetings held on February 10, 2015.  
  
Sherri Brennan, Randy Hanvelt, and Jim Maddox voted in favor of adopting the minutes. 3-0 vote.
4. Discussion of Rim Fire impacts and recovery efforts.
  - Progress on hazardous tree removal
  - Timber sale update
  - Methods to clear out Rim Fire slash: burn on site versus using a biomass plant  
Barbara Drake: Tree removal has slowed down. 20,000 tons of biomass planned to be removed under the hazard tree removal.
5. Consideration of correspondence with the Stanislaus National Forest concerning the Notice of Intent to prepare an Environmental Impact Statement for Rim Fire Reforestation.  
  
A workshop is planned for early April as well as an Open House. They will develop alternatives in early May. Reforestation workshops will be held at the Best Western on March 31.
6. Consideration of the County becoming the lead agency on CEQA review for grant applications from the Yosemite Stanislaus Solutions group.  
  
Patrick Koepele: Gave presentation about the \$1.5-2 Million grant application on Rim Fire restoration from the California Wildlife Conservation Board and a \$1 Million grant from the Sierra

Nevada Conservancy. Need a government agency to act as the lead agency. Karl Rodefer recused himself. Randy Hanvelt assumed the chair role. Much of the work will be done by the United States Forest Service. Amy Augustine will do the CEQA work. Middle of August is the next Department of Conservation meeting. Need information to the Department of Conservation about a month before the meeting. The County takes a CEQA on behalf of the Fire Safe Councils. Sub-committee will coordinate a Board of Supervisors item. Patrick Koepele will act as the committee chair with Carlyn Drivdahl and Beverly Shane.

7. Consideration of correspondence concerning a proposal to transfer Ackerson Meadow to Yosemite National Park.

Craig Pedro: Gave overview of the process to transfer land to Yosemite National Park. He introduced a letter by the landowner in favor of the transfer. Related that Lee Zimmerman, the Evergreen Lodge owner is in favor of the transaction occurring.

Randy Hanvelt: Has concerns. Doesn't feel the current owner's actions are altruistic. Yosemite can't manage their land right now. Concerned with the County's Payment in Lieu of Taxes. Wants an exchange of other Federal land for Ackerson Meadow.

Sherri Brennan: Wants better Coordination on this item.

Jim Maddox: Concerned for the critters. Very important area for Great Grey Owls. Would not want to see another Evergreen Lodge.

Jim Phelan: This is historically cattle ranching territory. Cattle have ben compatible with the Great Grey Owl.

Markley Bavinger: With the Trust for Public Lands. The owner would like to donate the land but cannot due to financial obligations.

Sherri Brennan: Why the National Park and not the National Forest?

Markley Bavinger: The desire of the landowner. Deadline for transaction is October 2015.

Sherri Brennan: Recommendation to develop a working group and commence consultation. Motion carried 4-0.

8. Consideration of correspondence on the Stanislaus National Forest's off-highway vehicle recreation grant proposals. (Comments due April 6)

Discussion of whether the County should comment on OHV grant applications. Questions about the Red Fox management study. This study has a direct correlation with over the snow vehicles.

Jeanne Higgins: Provided comments on the Red Fox and its studies. She confirmed that the \$666,433 is the entire Red Fox study amount.

Jim Phelan: Concerned with studying the Red Fox and then finding out that the area will be limited.

Sherri Brennan: Reach out to the OHV community and get their comments.

No action taken: Jim Phelan will pass along information as he hears from the OHV community.

9. Reports:

- Grazing Regulatory Action Program update: pulling back to review the science.
- Stanislaus National Forest Draft proposed action for Over the Snow Vehicle Use Designation project: Daniel gave an overview of the process to comment.
- California Department of Fish & Wildlife response letter: Daniel gave overview. Request to ask to put County on early notification list.

- National Disaster Resilience Competition update: 60 attendees at the public meeting.
- State's Forest Climate Action Team Public Meetings: no report.

10. Adjourn





## County Administrator's Office

**Craig L. Pedro**  
County Administrator

Tuolumne County Administration Center  
2 South Green Street  
Sonora, CA 95370  
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Fax (209) 533-5510  
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May 11, 2015

TO: Natural Resources Committee

FROM: Daniel M. Richardson, Deputy County Administrator *DMR*

SUBJECT: Support of AB 590—Biomass Cost Share

AB 590 is a bill (attached) which proposes to continue subsidizing biomass plants and to reverse the trend of plant closures due to financial troubles. California currently leads the nation in bioenergy production, but this could be a thing of the past if this clean, renewable energy is not financially viable. Briefly, AB 590 would transfer money into a State Biomass Cost Share account for the purpose of continuing the subsidies for biomass cogeneration plants. This bill which is sponsored by Assemblyman Dahle is scheduled to be heard in the Assembly Appropriations Committee on Wednesday, May 13. The attached letter supports passage of AB 590 for the reasons contained in this memo.

If adopted, \$74 million would initially be transferred from the State's Greenhouse Gas Reduction Fund to the Biomass State Cost Share account. This amount would increase to \$118 million in Fiscal Year 2016-2017 and then to \$120 million thereafter. This money would go towards maintaining the current level of biomass power generation and revitalizing currently idle facilities in strategically located regions. For Tuolumne County, it would mean a continued subsidy for Pacific Ultra Power.

Why subsidize? Biomass power generation provides ratepayers with renewable energy that supplies the grid 24 hours a day, seven days a week regardless of atmospheric conditions. Biomass power generation also provides valuable, environmentally preferred wood waste disposal service for the disposal of 7.5 to 8 million tons of California's annual solid waste stream and the avoidance of 1.5 to 3.5 million tons annually of biogenic CO<sub>2</sub> emissions.

Tuolumne County alone produces millions of tons of biomass that never makes its way to power generation plants due to the cost. Rather, biomass is burned on site, releasing enormous amounts of pollutants into the atmosphere. AB 590 would provide a destination for the biomass. The next step is to find funding mechanisms or other means to encourage transport of the biomass to the power generation plants.

### **Recommendation:**

*...serving the Board of Supervisors, departments, and the community as good stewards of the County's fiscal and human resources through collaborative, professional and ethical leadership.*

Consideration of approving correspondence supporting AB 590 to continue State funding for California's biomass industry.

AMENDED IN ASSEMBLY APRIL 21, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 590**

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**Introduced by ~~Assembly Member Dahle~~ *Assembly Members Dahle and Salas***  
**(Coauthors: *Assembly Members Brough, Chávez, Gordon, Olsen, Mark Stone, and Wood*)**

February 24, 2015

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An act to add Section 16428.81 to the Government Code, relating to greenhouse gases.

LEGISLATIVE COUNSEL'S DIGEST

AB 590, as amended, Dahle. Greenhouse Gas Reduction Fund.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund.

This bill would create the Biomass State Cost Share Account within the Greenhouse Gas Reduction Fund. The bill would require ~~an unspecified amount of moneys~~ *certain amounts* to be transferred from the Greenhouse Gas Reduction Fund to the Biomass State Cost Share Account *for the 2015–16 through 2019–20 fiscal years.* ~~Moneys~~ *The moneys* in the account, upon appropriation, would be available for expenditure by the State Energy Resources Conservation and Development Commission for the purposes of maintaining the current

level of biomass power generation in the state and revitalizing currently idle facilities in strategically located regions. *The bill would establish requirements for an applicant to receive funding from the account for a facility's eligible electrical generation.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) California leads the nation in bioenergy production, with  
4 one-half of the industry located in this state, which has an abundant  
5 supply of bioenergy resources.

6 (b) Biomass power generation provides electric ratepayers with  
7 clean, renewable energy that supplies the grid 24 hours a day,  
8 seven days a week regardless of atmospheric conditions. These  
9 benefits are paid for through contracts with the state's electric  
10 utilities.

11 (c) Biomass power generation also provides valuable,  
12 environmentally preferred wood waste disposal service for the  
13 disposal of 7.5 to 8 million tons of California's annual solid waste  
14 stream and the avoidance of 1.5 to 3.5 million tons annually of  
15 biogenic CO<sub>2</sub> emissions. By diverting biomass residues away from  
16 open burning, landfill burial, and accumulation in forests, the state  
17 benefits from reduced criteria air pollutants and greenhouse gas  
18 emissions, landfill capacity use, forest and watershed improvement,  
19 rural employment and economic development, and energy diversity  
20 and security. These services have been provided without  
21 compensation in the past, as the electricity market was able to fully  
22 underwrite the cost.

23 (d) *Numerous studies have shown a link between particulate*  
24 *matter (PM) exposure and asthma morbidity outcomes in children,*  
25 *and between exposure to ambient PM and increased heart and*  
26 *lung disease and death and health effects on the central nervous*  
27 *system. The latest study was provided by scientists at the California*  
28 *Environmental Protection Agency's Office of Environmental Health*  
29 *Hazard Assessment. Diverting wood material from open burning*  
30 *to biomass power production is an essential PM reduction strategy*  
31 *for many air districts around the state.*



1     ~~(d)~~

2     (e) The environmental services provided by biomass power  
3     production are clearly valuable to society and therefore provide  
4     the rationale for a state policy to pay for biomass power generation  
5     commensurate with its provision of waste disposal services.

6     ~~(e) Protecting these existing resources will help the state meet~~  
7     ~~its goals to reduce greenhouse gas emissions, protect existing jobs,~~  
8     ~~and provide waste disposal benefits.~~

9     (f) *Biomass power generation fits in the Cap and Trade Auction*  
10    *Proceeds Investment Plan in the categories of forest and ecosystem*  
11    *management, agricultural management, and waste diversion, and*  
12    *is identified as a recommended investment.*

13    SEC. 2. Section 16428.81 is added to the Government Code,  
14    to read:

15    16428.81. (a) There is hereby created the Biomass State Cost  
16    Share Account within the Greenhouse Gas Reduction Fund  
17    established pursuant to Section 16428.8. ~~Moneys in the amount~~  
18    ~~of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) shall be transferred annually from the fund~~  
19    ~~to the account. Moneys in the account, upon appropriation, shall~~  
20    ~~be available for expenditure by the State Energy Resources~~  
21    ~~Conservation and Development Commission for the purposes of~~  
22    ~~maintaining the current level of biomass power generation in the~~  
23    ~~state and revitalizing currently idle facilities in strategically located~~  
24    ~~regions.~~

25    (b) *The following amounts shall be transferred from the*  
26    *Greenhouse Gas Reduction Fund to the Biomass State Cost Share*  
27    *Account:*

28    (1) *In the 2015–16 fiscal year, seventy-four million dollars*  
29    *(\$74,000,000).*

30    (2) *In the 2016–17 fiscal year, one hundred eighteen million*  
31    *dollars (\$118,000,000).*

32    (3) *In the 2017–18, 2018–19, and 2019–20 fiscal years, one*  
33    *hundred twenty million dollars (\$120,000,000) in each of those*  
34    *fiscal years.*

35    (c) *The moneys in the Biomass State Cost Share Account, upon*  
36    *appropriation by the Legislature, shall be available to the State*  
37    *Energy Resources Conservation and Development Commission*  
38    *for expenditure for the purposes of maintaining the current level*  
39    *of biomass power generation in the state and revitalizing currently*  
40    *idle facilities in strategically located regions. Protecting these*

1 existing resources will help the state meet its goals to reduce  
2 greenhouse gas emissions, protect existing jobs, and provide waste  
3 disposal benefits.

4 (d) To be eligible for funding from the Biomass State Cost Share  
5 Account, a facility's solid fuel biomass electrical generation shall  
6 satisfy all of the following requirements:

7 (1) The energy is generated on and after January 1, 2016.

8 (2) The energy is generated within the state and sold to  
9 customers within the state.

10 (3) The energy is net-metered generation. "Net-metered  
11 generation" for purposes of this section means energy that is sold  
12 to the grid and is not used onsite for the facility's own electrical  
13 demand.

14 (e) A facility seeking funding from the Biomass State Cost Share  
15 Account shall submit an application to the commission that  
16 demonstrates that it is a solid fuel biomass facility and is California  
17 Renewables Portfolio Standard (RPS) Program certified. An  
18 applicant shall submit monthly invoices to the commission to  
19 document eligible generation and the fuel used for that generation.  
20 The commission shall review the submitted invoices and make  
21 monthly incentive payments to each applicant based on the eligible  
22 generation and the applicable production incentive rate.

May 19, 2015

Assemblyman Brian Dahle  
1<sup>st</sup> Assembly District  
State Capitol, Suite #2158  
Sacramento, CA 94249-0001

**Subject: Support of AB 590—Biomass Removal**

Dear Assemblyman Dahle:

The Tuolumne County Board of Supervisors supports Assembly Bill 590 and its goal remove biomass to power generation facilities. It is critical that the existing cogeneration plants remain viable as they provide a reliable source of energy and they serve as a destination for the millions of tons of biomass which would otherwise be burned on site, resulting in adding unnecessary particulate matter to the atmosphere. It is important that this bill be adopted to keep California's existing cogeneration infrastructure operational.

The devastating 257,135 acre Rim Fire left a lasting impact on Tuolumne County and it is conceivable that over 2 million bone dry tons of dead biomass sit on the forest floor in Tuolumne County. Of this amount, 80,000 tons of biomass from Rim Fire salvage operations is ready and available to be removed with more being placed in piles for open-burning each week. AB 590 has the potential to put this biomass to beneficial use by allowing local cogeneration plants to remain open and to provide financial incentives for the transport of the material out of the forest. If this does not occur, several possible scenarios result: 1) the biomass which is currently in large piles will be burned in a controlled method resulting in air pollution; 2) the biomass will naturally decay over time resulting in the release of carbon as methane gas; 3) the biomass will contribute to another catastrophic wildfire.

**Who Wins?**

The successful passage of AB 590 will have a multitude of economic, wildlife, watershed, and wildfire benefits.

- Jobs will be retained and added at both the cogeneration plants and in the biomass removal operations.
- The generation of clean energy. Assures a continued diversification of the State's electricity supply.
- Re-opening deer migration corridors as the biomass is currently choking the ability for deer to escape from predators. The Yosemite herd continues to decline in numbers and will continue to do so if significant measures are not taken.
- The agricultural community would benefit due to their current loss of grazing habitat due to biomass piling.
- Timber production—the removal of biomass will allow reforestation to occur, opening up future timber harvest which is a renewable resource.

- Prevention of catastrophic wildfire. Removal of the biomass will leave less material to burn when the next fire occurs.

The choice is clear: AB 590 results in significant and varied benefits. From job creation to preventing air pollution and catastrophic wildfires, biomass removal and transfer to power generation plants is the best option. The ugly alternative to AB 590 is disposing of these hazardous fuels by the practice of wasteful and polluting open-burning. Burning may be less expensive initially, but in the long term the environmental costs will outweigh any gained cost benefit. Due to drought and climate change, it is even more important that biomass removal from western slopes of the Sierra's be made a priority. The Tuolumne County Board of Supervisors supports AB 590 and looks forward to its approval.

Sincerely,

JOHN GRAY  
Chair, Board of Supervisors

Cc: Senator Tom Berryhill  
Assemblyman Frank Bigelow  
California State Association of Counties  
Rural County Representatives of California



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Alicia L. Jamar, *Chief Deputy*  
Clerk of the Board of Supervisors

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## **BOARD OF SUPERVISORS COUNTY OF TUOLUMNE**

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Karl Rodefer, *Fifth District*

*April 21, 2015*

Charlton Bonham  
California Department of Fish and Wildlife  
Deer Plan  
1812 9th Street  
Sacramento, CA 95811

Dear Mr. Bonham:

The Tuolumne County Board of Supervisors is grateful for this opportunity to comment on the draft California Deer Conservation and Management Plan (CDCMP), the first comprehensive update of its kind since 1976. Much has changed since that time, including significant increases in human population, decreased deer habitat, and climate change. The current four year drought is also taking a toll on deer. For these and many other factors, it is critical that this deer CDCMP be developed with good science and implemented in a balanced approach. This CDCMP should provide a framework for deer management on a state-wide basis, not how to manage deer on a local basis.

### **Deer Conservation Units**

Tuolumne County concurs with the use of Deer Conservation Units (DCU) for big picture analysis and to develop overarching management objectives; however, deer populations still need to be managed in a more localized effort. The draft CDCMP lumps the entire west slope of the Sierras into a single DCU. This region is far too large and varied to address specific population needs and for that reason, we believe that under no circumstance should DCU's be used as hunting zones.

DCU's should not be the primary tool for managing deer herds; deer herd plans, though currently outdated, should be the primary management tool. Within Tuolumne County, there are resident populations, migrant populations, some healthy and some not, which should not be managed with a one-size-fits-all approach.

Resident populations should be managed to prevent over-population, which leads to agricultural damage, road hazard, and nuisance issues. Migrant populations are currently very depressed and need specific attention directed toward population recovery. The migrant animals reside primarily on public lands and thus are the animals primarily available to the general hunting public.

The current plan for the Yosemite deer herd has specific management objectives that were aimed at maintaining fall buck ratios of 40-55 bucks per hundred does and a spring fawn survival of 50 fawns per hundred does, to provide for non-consumptive uses, such as wildlife viewing, as well as providing an opportunity for trophy take. A cooperative agreement is in place which involves the Stanislaus National Forest (SNF), Tuolumne County, Yosemite National Park, the Department of Fish and Wildlife and several other entities.

While Tuolumne County has veto power over antlerless hunts within its boundary, that power has never been exercised. We have very serious concerns regarding any antlerless take of the severely depressed migrant deer populations; however, the practice of removing excess antlerless animals to maintain resident deer numbers at a reduced level to alleviate property damage, road kills and nuisance problems could be an appropriate management tool.

Tuolumne County is currently involved with the DFW and with the SNF in efforts to manage deer at healthy population levels. We have concerns with the depressed migrant deer population which has only been compounded by the massive Rim Fire.

### **Predators and Deer Population**

There is a need for a comprehensive evaluation of legislative efforts and initiatives that are in place within California to protect predators and how they relate to the deer population. Additionally, we have concerns regarding predators being attracted into human concentrated areas to hunt resident deer. The predators become a threat to human safety.

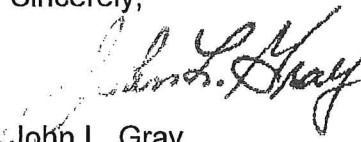
Tuolumne County very much values and benefits from both hunters and non-consumptive users of our deer resource. It is encouraging that the DFW is engaging the public to assure that the CDCMP reflects the values of the various interested parties. Deer are a noteworthy species in this County and most residents encounter them on a daily basis. Assuring healthy resident and migrant deer herds will require distinct management plans. The CDCMP should allow for the development of localized deer management plans. Tuolumne County is uncertain if it should support the plan, as proposed, due to the potential for significant impact to the County, its users and to its deer resource. We are also uncertain how this plan will be implemented.

Charlton Bonham  
April 21, 2015  
Page 3

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This County would like to be involved in the development of any plan that impacts the local deer population. The Board of Supervisors looks forward to a prompt and thorough response to these comments.

Sincerely,

  
John L. Gray  
Chairman

Cc: Regional County Representatives of California  
California State Association of Counties

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

By:   
ALICIA D. JAMAR  
Clerk of the Board